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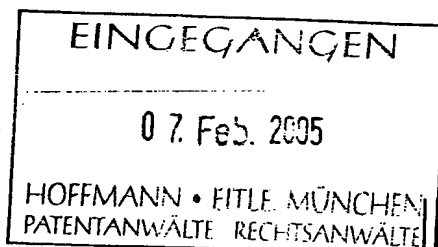
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Application No. 03 027 767.7 - 1217	Ref. 101 300 a/km	Date 03.02.2005
Applicant Fuji Photo Film Co., Ltd.		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



Magrizos, S
Primary Examiner
for the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)



The examination is being carried out on the **following application documents**:

Description, Pages

1, 3-31 as originally filed

2 received on 05.01.2005 with letter of 05.01.2005

Claims, Numbers

1-10 as originally filed

A. Inventive step

The present application does not meet the requirements of Article 52(1) EPC, because the subject-matter of claims 1-10 does not involve an inventive step in the sense of Article 56 EPC.

1. The argumentation of the applicant as to the objective technical problem of the subject-matter of **independent claim 1** is accepted. However, both D1 and D2 are concerned with obtaining low dropouts. See column 38, line 63-column 39, line 14; Tables 13-17; column 50, lines 29, 43-44, 59 of **D1**; page 7, lines 16-20; page 8, lines 16-19; page 28, lines 4-10; Table 1 of **D2**. Hence the skilled person has a lead to look for an improvement in the number of dropouts of the medium of D1, and would incorporate the radiation-curable layer of D2. While it is true that no specific order of the radiation-curable layer and non-magnetic layer is determined by such incorporation, no effect for such order is demonstrated in the present application. Consequently the subject-matter of claim 1 does not involve an inventive step.

2. For the lack of inventive step of the subject-matter of **dependent claims 2-10** see points B.2, B.3 of the Official Communication of September 2, 2004.



Bescheid/Protokoll (Anlage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annexe)

Datum
Date 03.02.2005
Date

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Sheet 2
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Anmelde-Nr.:
Application No.: 03 027 767.7
Demande n°: